

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CHIKEZIE OTTAH, : CASE NO. 1:11-cv-06187-RMB
: :
PLAINTIFF, : [JUDGE RICHARD M. BERMAN]
: :
VS. :
: DEFENDANT'S NOTICE OF MOTION
VERIFONE SYSTEMS, INC., : FOR SUMMARY JUDGMENT OF NON-
: INFRINGEMENT
DEFENDANT. : :

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD: Please take notice that VeriFone Systems, Inc. ("VeriFone") hereby respectfully moves the Court for an Order of Summary Judgment of Noninfringement on all claims asserted by Plaintiff Chikezie Ottah ("Ottah").

This case involves alleged infringement of U.S. Patent No 7,152,840 ("the '840 patent). This motion is based upon the evidence of record showing that the accused VeriFone products do not infringe the sole claim 1 of the '840 patent directly, indirectly, literally, and/or under the doctrine of equivalents under 35 U.S.C. § 271. This motion is based on this Notice, the supporting Memorandum, and the accompanying Declarations of Avi Itzhakov and Owen Dukelow and exhibit attached thereto.

DATED this 20th day of April, 2012. Respectfully submitted,

/s/ Cosmin Maier
Owen W. Dukelow (*Pro Hac Vice*)
Kolisch Hartwell, P.C.
520 S.W. Yamhill Street
200 Pacific Building
Portland, Oregon 97204
Telephone: (503) 224-6655
Facsimile: (503) 295-6679
E-mail: owen@khpatent.com

David Bassett
Cosmin Maier
Wilmer Cutler Pickering Hale and Dorr
LLP
399 Park Avenue
New York, New York 10022
Telephone: (212) 230-8816
Facsimile: (212) 230-8888
E-mail: david.bassett@wilmerhale.com
E-mail: cosmin.maier@wilmerhale.com

*Attorneys for Defendant
VeriFone Systems, Inc.*